

April 30, 2002

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

MOTION TO SUPPORT AB 2777 (NATION) SURVIVOR BENEFITS FOR DOMESTIC PARTNERS (ITEM NO. 111-I, AGENDA OF APRIL 30, 2001)

Item No. 111-I is a motion by Supervisor Yaroslavsky that the Board support an amendment to AB 2777 (Nation) to include Los Angeles County among those counties which would be permitted to extend the same survivor benefits to domestic partners as are currently extended to married persons.

Recent changes to the County Employees Retirement Law of 1937 stipulate that any death benefits, optional retirement allowances, or survivor's allowances accorded to a married person, may be accorded to a domestic partner in San Mateo County, subject to approval by the San Mateo County Board of Supervisors. These provisions became law when the Governor signed SB 1049 (Speier) in 2001.

AB 2777 would extend survivor benefits to domestic partners of eligible county employees in Santa Barbara and Marin counties. Under this bill, a domestic partnership is created when the parties have a current Affidavit of Domestic Partnership in the form adopted by the county board of supervisors, on file with the county for at least one year prior to the member's retirement or death prior to retirement. This bill would not be operative unless approved by a majority vote of the respective county boards of supervisors.

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The CAO Compensation and Benefits staff indicates that an actuarial study would be necessary to determine the cost impact of AB 2777. The Los Angeles County Employees Association has no position on AB 2777 and has not completed an analysis of its impact since its provisions currently do not affect the County.

There is no specific Board policy on this matter. Amending AB 2777 to include Los Angeles County is a matter of Board determination. For your information, the Board included domestic partners in the county's dental program effective January 1, 1995, approved their inclusion in the medical program on December 19, 1995 and, extended bereavement leave to domestic partners in 2000.

AB 2777 is currently in the Assembly Committee on Public Employment, Retirement and Social Security with a hearing scheduled for May 1, 2002. According to the author's office, AB 2777 is sponsored by the County of Santa Barbara and has the support of Marin County, the American Federation of State and Municipal Employees (AFSME), the California Alliance for Pride and Equality and the Lambda Letters Project. It is opposed by the Campaign for California Families.

DEJ:GK
DdN:md

c: Executive Officer, Board of Supervisors
 County Counsel
 Department of Human Resources